

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 2158

March 18, 2014

**SUMMARY OF BILL:** Declares the intent of the General Assembly is to codify the sworn duty and process of the State to interpose to prevent usurpation or encroachment upon this sovereign state by the federal government with respect to the Second Amendment.

Creates a Class E felony for anyone who knowingly conspires or acts to interfere with state interposition of any federal Second Amendment encroachment, pursuant to the State Interposition Act.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact – Any violation could result in incarceration costs\* ranging from \$24,200 to \$72,600. Any civil action brought by the Attorney General and Reporter will result in increased expenditures. It is unknown how often this would occur or the extent to which it would increase the workload of the office. Any action is estimated to increase expenditures by at least \$5,000.**

Assumptions:

- Each violation is a Class E felony offense with a mandatory minimum one year prison sentence if found guilty, but could be sentenced up to three years.
- It is unknown how often this will be enforced or how many individuals will be found guilty. According to the Department of Correction, the cost to house a felon in 2014 is \$66.29 per day. A minimum one year sentence will cost \$24,212 (\$66.29 x 365.25 days). A three year sentence will cost \$72,637 [\$66.29 x (365.25 days x 3 years)].
- It is unknown how often the Attorney General will have to bring a civil action against a person to recover damages. It is estimated that the initiation of any action will result in an increase in expenditures of at least \$5,000. It is unknown the extent to which any damages will be calculated. Any revenue recognition cannot be quantified.

\*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/trm